

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,)	CR 07-56-M-DWM
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
RURY MEZA,)	
)	
Defendant.)	
_____)	

United States Magistrate Judge Jeremiah C. Lynch entered Findings and Recommendation in this matter on February 8, 2008. Neither party objected and therefore they are not entitled to de novo review of the record. 28 U.S.C. § 636(b)(1); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." United States v. Syrax, 235 F.3d 422, 427 (9th Cir. 2000).

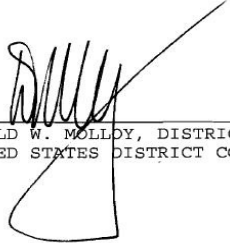
Judge Lynch recommended this Court accept Rury Meza's guilty

plea after Meza appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered his plea of guilty to the charge of conspiracy to distribute methamphetamine, in violation of 21 U.S.C. § 846.

I find no clear error in Judge Lynch's Findings and Recommendation (dkt #67) and I adopt them in full.

Accordingly, IT IS HEREBY ORDERED that Defendant's motion to change plea is GRANTED.

DATED this 28th day of February, 2008.



DONALD W. MOLLOY, DISTRICT JUDGE
UNITED STATES DISTRICT COURT